

1 approximately \$115,000 doing concerts and remotes?

2 A Well, we didn't pick up \$115,000 doing remotes or
3 concerts. We did really good with our concert.

4 Q Well, where did you get the \$115,000 from? That's
5 what I'm -- \$85,000 was used to pay down the loan. So that's
6 \$85,000. And we know that that came, in large part, from the
7 \$16,000 and the \$10,000 and also from Mr. Washington. But
8 that still leaves another \$115,000 or so that you --

9 A Not counting --

10 Q -- must have obtained.

11 A Not counting the monies that we were paying Dr.
12 Wren. We had to put approximately \$30,000 to \$40,000 into the
13 building and into taxes.

14 Q And where did you get that money from?

15 A That money came from loans.

16 Q So there were additional loans beyond the \$16,000
17 and the \$10,000.

18 A That's correct.

19 Q Where were those loans from?

20 A Linda Hardison and also from Annie White.

21 Q I'm sorry?

22 A A lady named Annie White --

23 Q Annie White. How much did she loan you?

24 A Annie would put \$5,000 here or \$2,000 there,
25 whenever she would get money for us.

1 Q How much did she loan you in total?

2 A Well, she actually didn't loan it to me. She loaned
3 it to Eugene and Eugene paid.

4 Q How much in total did she loan to Eugene which
5 Eugene gave to you?

6 A I can't give you a definite figure.

7 JUDGE FRYSIAK: Where did you get the \$32,000 from?
8 Where did that money come from?

9 WITNESS: Ricardo Hillburn and Dr. William Mitchell.
10 \$36,000.

11 BY MR. ZAUNER:

12 Q I'm sorry. I missed the answer. I just couldn't --
13 there's a buzzing sound.

14 A \$36,000.

15 Q Yeah, but where did you get that?

16 A Ricardo Hillburn and Dr. William Mitchell.

17 Q Now, with regard to Ricardo Hillburn --

18 A Hillburn.

19 Q Hillburn. How much did he give you?

20 A \$16,000.

21 Q Oh, these are the same \$16,000 and \$10,000 we talked
22 about before.

23 A I thought that's what -- is that what you were
24 referring to?

25 JUDGE FRYSIAK: We're just trying to track you,

1 okay, and the question is \$110,000, and you offered the figure
2 of \$32,000 or \$36,000 indicating where the money was coming
3 from. Now, it appears that that \$36,000 was money that you
4 referred to earlier in your testimony.

5 WITNESS: Oh, I thought that's what you were
6 speaking about. There was \$16,000 from Ricardo, there was
7 \$10,000 from Dr. Mitchell. I would assume that Elder Jones
8 probably put about \$6,000 into the station, \$6,000 -- maybe
9 more than that. I got money from these people, like I would
10 say, "I need to get \$2,000 or \$3,000. I need you to loan me
11 that money," and they would loan me that money.

12 BY MR. ZAUNER:

13 Q And they would just write you a check?

14 A Or cash. Yes.

15 Q Or hand you \$3,000 in cash?

16 A Uh-huh. Yes.

17 Q And this is how you accumulated the other \$115,000,
18 through small loans like this?

19 A Yes. Believe it or not, they believed in that
20 station and we --

21 Q And they never -- they never had you sign any note
22 or any certificate of indebtedness or anything at all
23 indicating that you owed them the money? They just handed you
24 this money either in cash or in checks?

25 A On my word. The only time that I signed a note was

1 at Bank One and that's when Dr. Mitchell was trying to
2 establish credit for me and then he paid it off and I was
3 supposed to have paid him back. I can get you documentation
4 on this if that's what you need.

5 Q When you say documentation on that, what are you
6 referring to?

7 A I guess an affidavit or whatever from these people
8 that they did let me have that money.

9 Q Let me see if I'm right. There were three people,
10 right, Annie White, Ricardo Hillburn, and Dr. Mitchell?

11 A And Noel Jones.

12 Q Noel Jones.

13 A That's correct.

14 Q And you, right now, don't have any idea how much
15 each of these individuals gave to the station over the past
16 years that you've been soliciting them for funds.

17 A To be basically honest with you, I really cannot
18 give you a definite figure.

19 Q Can you give me an average figure? A guess? How
20 much did Annie White contribute?

21 A I would say Annie, approximately \$5,000 maybe for
22 Annie, but then -- Annie is my sister-in-law. So I don't know
23 how much -- she also gave Eugene money to help out with this.
24 So I don't know how much.

25 Q But then the money that Eugene gave you went to

1 paying off the \$110,000 loan, right? Did he give you
2 additional money besides that?

3 A Eugene paid -- when I was short of money and I
4 couldn't make Dr. Wren's note for that month, Eugene sent the
5 money directly to Dr. Wren.

6 Q So that was money towards the \$110,000 note.

7 A Yes.

8 Q My question to you is did Eugene contribute
9 additional monies to the operation of the station?

10 A He contributed some money.

11 Q How much did Eugene contribute, would you say, since
12 you've been --

13 A I would say Eugene -- that I would know of, maybe
14 \$30,000.

15 Q And would he send you checks?

16 A If he had to pay something, he would send it to the
17 company.

18 Q Would he send the company a check?

19 A Yes. A cashier's check.

20 Q Do you have -- then copies of those checks being
21 received would be in the bank's record. Is that not correct?

22 A Not in my bank's record because --

23 Q In the records of Praise Media, Inc. or the
24 station's records -- the station's bank account records.

25 A It would be in Eugene's records.

1 Q No, I think it would -- you took those checks when
2 you received them and deposited them in an account, right?

3 A No. He never sent -- like if I called Eugene and
4 said this needed to be paid, he would send it directly to the
5 company to pay it. Does that make sense?

6 Q Do you know which companies Eugene would be asked to
7 pay, that he paid \$30,000 to?

8 A Well, that \$30,000 included the payment to Dr. Wren.

9 Q Well, let me -- let's begin again. Excluding the
10 money that was paid for Dr. Wren, the \$110,000, what money did
11 Eugene pay towards the operation of the station over and above
12 that paying off of the note? That's the question that I've
13 been asking you -- I thought I've been asking you.

14 A Now, we're not talking about the monies to Dr. Wren.
15 Is that correct?

16 Q That is correct.

17 A Then I would say he would put approximately \$10,000
18 into it. \$10,000.

19 Q Eugene?

20 A Yes.

21 JUDGE FRYSIK: Who received this money?

22 WITNESS: There was a company that we needed for a
23 remote, a Marty, which is a remote that you use at the radio
24 station. They received some money from him.

25 BY MR. ZAUNER:

1 Q What's the name of that company?

2 A I can't think of the name of the company right off-
3 hand, but I know that he paid for it. I might have that
4 information in my records at home --
5 I mean at the hotel. He did pay some notes to Dr.
6 Wren --

7 Q Excluding the notes to Dr. Wren.

8 A I mean, this was after the initial \$20,000.

9 Q Yeah, but right now, we're talking about -- the
10 notes for Dr. Wren? There was only one note. Isn't that
11 correct? That was the \$110,000 note.

12 A Well, I'm talking about after the \$20,000 that he
13 had to pay to Dr. Wren.

14 Q Yes?

15 A He still had to pay some -- I missed some \$2,500 --

16 Q Right. And that's part of the \$85,000.

17 A Right.

18 Q And we're excluding that. We've said that two or
19 three times. Excluding that money that was paid to Dr. Wren
20 to pay down the \$110,000 note. You indicated that Eugene had
21 paid approximately \$10,000 towards the operation expenses of
22 the station and we're trying to find out what or how Eugene
23 made those payments --

24 A Well, I can't answer that correctly --

25 Q -- and what they were for and to who -- which

1 companies.

2 A I can't answer that correctly because I don't know
3 the figures off the top of my head in order to say he gave
4 this amount and this amount and this amount. I don't have the
5 files in front of me. I don't have the receipts. So --

6 Q And where are those files and those receipts?

7 A Well, the station was vandalized. I'm sure some of
8 them are there, but I can't vouch that all of them are there.

9 MR. ZAUNER: Your Honor, I would request that the
10 witness be instructed that when she returns, that she do a
11 search for any such documents and provide them to the Bureau.

12 JUDGE FRYSIK: Mr. Kelly, it's a fair request.

13 MR. KELLY: Yeah, I have -- I have no objection. I
14 mean, I'm here to let the truth come out because I think what
15 I -- what I know about this witness, I think she can tell the
16 truth and we have no objection to providing whatever documents
17 she has.

18 JUDGE FRYSIK: The point -- the premise being that
19 the witness indicated that close to \$200,000 was expended by
20 her in operating and acquiring the station. So we'd like to
21 have --

22 MR. KELLY: I understand. We will -- we will try to
23 document it and show -- I mean, she was giving a ball -- it
24 should be remembered also, she -- her testimony -- and I don't
25 want to characterize it, but that was a ballpark figure and it

1 is whatever it is and I don't know what it is. But we will go
2 and have her search her records, and whatever it is she comes
3 up with, I'll be pleased to provide them to Mr. Zauner.

4 JUDGE FRYSIAK: We'll have to put a time limit on it
5 because I'm growing tired of this case. I'll give you a week
6 from today to submit those records.

7 MR. KELLY: Is there -- can I ask the witness, is
8 there a problem with that? Can we comply with that?

9 WITNESS: As far as my part and what I have at the
10 office, there's absolutely no problem with it. I can only
11 provide my side of what I have. Now, writing companies and
12 asking them for their records, I don't know how that would
13 turn out.

14 JUDGE FRYSIAK: No, the question is you provide
15 whatever you can. But you must provide the breakdown of the
16 \$200,000.

17 WITNESS: Sure. And that's a ballpark figure and
18 things are not itemized. But I know --

19 MR. KELLY: And we will -- we will -- we will work
20 it out and we will provide and I'll get it to Mr. Zauner
21 within a -- within a week of today.

22 JUDGE FRYSIAK: All right.

23 MR. ZAUNER: May I ask -- may I continue on this
24 line a little bit further, Your Honor?

25 JUDGE FRYSIAK: Yes.

1 BY MR. ZAUNER:

2 Q How much money approximately did Noel Jones
3 contribute to the operational expenses of the station?

4 A \$3,000, \$4,000.

5 Q \$3,000 to \$4,000?

6 A Right.

7 Q And Dr. Mitchell?

8 A \$10,000.

9 Q And Ricardo Hillburn in total, \$16,000?

10 A \$16,000.

11 Q Adding up the amounts that you've given me, it comes
12 to approximately \$45,000, assuming a \$10,000 figure for
13 Eugene, \$4,000 for Noel Jones, \$10,000 for Dr. Mitchell,
14 \$16,000 for Ricardo Hillburn, and \$5,000 for Annie White.
15 That still leaves, by my calculation, about \$70,000 that you
16 indicate was invested in the station. Where did the rest of
17 that money come from?

18 A As I stated, it came from raising funds and
19 -- that's an approximate figure and I cannot be accurate at
20 this time as far as how -- I don't know how I came up with the
21 money. I just -- it wasn't stolen, that's for sure.

22 Q And you're the president and the chief operating
23 officer of this company and you're not sure where the money
24 came from?

25 A The money came from promotions, promotions that we

1 did.

2 JUDGE FRYSIAK: But you're also general manager of
3 the station.

4 WITNESS: That's correct.

5 JUDGE FRYSIAK: \$70,000? Is that --

6 WITNESS: Well, it didn't come to \$70,000. Eugene
7 contributed -- I don't know how much monies he contributed.
8 At this time, I can't be accurate. But we did promotions.
9 And I used \$200,000 as a ballpark figure. Perhaps that's not
10 the total for what we've invested into this station. We also
11 have got things on term. You know, an engineer -- we still
12 have bills that I'm going to have to pay regardless.

13 MR. ZAUNER: Let me ask this. Did Praise Media file
14 an income tax return for 1994?

15 MR. KELLY: I'm going to object to that question.

16 JUDGE FRYSIAK: What are the grounds? It might help
17 us to figure out where the --

18 MR. KELLY: I don't know. I guess I'm afraid to say
19 what I have on my mind. The witness may answer the question.
20 I'm sorry, Your Honor.

21 WITNESS: No. Praise Media has not, as of yet,
22 filed an income tax return. We did have a CPA working on it.
23 We received a letter from IRS that said something to the
24 effect that if we were not on the air at a certain period or
25 something, that we didn't have to file. I can't -- I don't

1 know exactly what it stated, but I know that it was turned
2 over to him.

3 BY MR. ZAUNER:

4 Q Is it your intention to file a tax return by April
5 15th on behalf of Praise Media?

6 A Whatever he advises me to do. If he advises me to
7 go ahead and -- I don't know the correspondence that he had
8 with the IRS company. I haven't talked to him about that.
9 But I'll file. I have no problem with filing.

10 Q In 1993 -- or for fiscal year 1993, did Praise Media
11 file an income tax return?

12 A No, Eugene did not file.

13 Q Well, wait a minute. You were general manager and
14 president of the station. Wasn't it your responsibility?

15 A From '92 to '93, the CPA, Tony Jones, came by and he
16 checked the books and, at that time, Eugene was there, and he
17 said that it would behoove us to file under some chapter with
18 another company, with Eugene's other company, because we had
19 not made X amount of dollars. And I don't really understand
20 the tax law or anything, so I'm not -- I can't go into that
21 with you because I don't understand it.

22 Q Well, as president and general manager of the
23 station, did you have a copy of whatever was ultimately filed
24 on behalf of Praise Media with the IRS?

25 A Peggy Harthan (Phonetic) in Chicago has all of that

1 information.

2 Q Can you obtain that information?

3 A Sure. I can give her a call.

4 MR. ZAUNER: Your Honor, we would like to request
5 that a copy of whatever was filed with the IRS which indicates
6 income and revenues of --

7 JUDGE FRYSIAK: Well, how long do you expect me to
8 keep the record open?

9 MR. ZAUNER: I don't know. The same seven days. I
10 mean, I would imagine a telephone call would get that
11 information rather quickly. I would -- it seems to me that
12 we're dealing here with some very vague claims.

13 JUDGE FRYSIAK: Seven days. Mr. Kelly, we've got to
14 put an end to this case. We can't let it go forever.

15 MR. KELLY: Well, I will do my -- you know, I will
16 do my best. But I'm -- you know, again -- well, I'll just
17 leave it at that. I'll do my best to get this stuff to them
18 in seven days.

19 JUDGE FRYSIAK: Seven days. Today is the day in
20 court. You know how it goes.

21 MR. KELLY: Well, I would say the Bureau should have
22 been investigating this stuff, also. I mean, you know, they
23 could have subpoenaed people and done things. I mean, I'm
24 only doing my job, what was handed to me, and you get a case
25 file and you try to make the best of it that you can, and

1 that's my own perspective. I realize I'm putting upon Your
2 Honor, but --

3 JUDGE FRYSIK: Nobody's faulting you, Mr. Kelly.
4 Nobody's faulting you. You take the case as it is.

5 WITNESS: I can do my best to gather the information
6 that you need and that's the only thing I can -- that's all I
7 can do, I guess.

8 BY MR. ZAUNER:

9 Q I think it's an established fact now that the
10 station is off the air. Is that correct?

11 A That's correct.

12 Q What are the current call letters of the station?
13 Are they KARW?

14 A That's correct.

15 Q And why is the station currently off the air?

16 A It's currently off the air because we've -- I've had
17 a sabotage situation from a group of people that I fired that
18 you possibly will hear from to get the license. They have
19 offered me a job because, for some reason, they are sure that
20 they're going to get the license. I've had to pay several
21 people to guard the station. They've stole the antenna
22 matcher.

23 I've had problems with my tower. The tower company
24 guy, I pay him \$350 to climb the tower. Someone shoots the
25 lights out and every time they shoot the light out, I have to

1 pay him. So I had to get the mayor involved and the chief of
2 police and all those people were not doing anything.

3 They cut the wires in -- on the transmitter. I had
4 a lock put on the door that was supposed to be a security lock
5 and no locksmith, once they saw that lock in the sign, would
6 open it unless you have a signature card. They somehow got
7 into the building and took all the equipment that I had
8 replaced. So --

9 Q And you reported this to the police?

10 A Oh, yes. Definitely. I had to call the mayor. The
11 mayor has gotten on them and we've gotten things just about
12 taken care of.

13 Q Have there been any prosecutions?

14 A Not yet. It's in process.

15 Q Is it a fact that the station's tower lights are not
16 on?

17 A Oh, no. They're working.

18 Q But there was a period of time when they were off.
19 Is that not correct?

20 A That's correct. FAA said if one light was off, the
21 whole tower was down and someone was shooting the lights.

22 Q During all of this time, did you have electricity
23 provided to the tower?

24 A There was a period when I was here in Washington
25 that electricity was not on.

1 Q Had you turned it off?

2 A No, the electric company turned it off.

3 Q Why did the electric company turn it off?

4 A The gentleman that should have paid it did not pay
5 the bill.

6 Q Well, aren't you the person who's responsible for
7 paying the bill?

8 A I was at Mr. Campbell's office and I left the money
9 with someone.

10 Q How long were the lights off on the tower?

11 A They were off for three days.

12 Q Let me get this straight. You're saying that the
13 lights were on the tower continuously except for three days
14 during --

15 A Well, now, there was a time that we went to pay --
16 the lights were off and we went to pay -- my father and I went
17 to pay a deposit. They had requested another deposit. And a
18 company -- some communication company had already put up a
19 deposit. Mr. Birdsong said that anyone who paid a deposit
20 could turn the lights on anywhere. But he did not turn the
21 lights on. But he also would not take my money to turn the
22 lights on.

23 Q Wait a minute. I'm getting confused. First of all,
24 we're talking about a three-day period. Can you tell us when
25 that three-day period was?

1 A The three-day period was in October.
2 Q October of 1994?
3 A That's correct.
4 Q And you came to Washington, D.C., you met with Mr.
5 Campbell, and then you returned home and found that the lights
6 were not on?
7 A That's correct.
8 Q And you said, "What happened here?" and you learned
9 that the bill was not paid? Is that correct?
10 A That's correct.
11 Q And then you went and you paid the bill, had the
12 bill paid?
13 A Uh-huh.
14 Q And the station -- the lights were turned back on by
15 the electric company?
16 A That's correct. Now --
17 Q Now, was there another time when the lights were
18 off?
19 A Yes.
20 Q Is that what you're telling us?
21 A An electrical -- well, we got shocked. We had a
22 storm and we were shocked. The electricity hit something and
23 it knocked the lights off.
24 Q And how long were they --
25 A But that was only for like a day.

1 Q They were only off for one day.

2 A Right.

3 Q Other than those two occasions, during your
4 stewardship of the station, were the lights maintained
5 continuously on the tower?

6 A As far as I know, sir. There was a company, Star --
7 NorthStar Communications, who told the electric company that
8 they were taking over the station and they had everything
9 taken out of my name and put into their name, and there might
10 have been a period of time that it was off then.

11 Q When did this occur?

12 A A couple of months ago, Dad? January? Was that in
13 January?

14 MR. KELLY: Well, the witness -- you can't ask him
15 for -- you've got to answer from your own knowledge.

16 WITNESS: This was in January then. January -- yes,
17 January. They said they had purchased the station. They put
18 up foreclosure notes -- signs.

19 BY MR. ZAUNER:

20 Q Do you know who a Mr. Birdsong is?

21 A Yes, I do.

22 Q Would you identify Mr. Birdsong for us?

23 A Mr. Birdsong is the person that's over at SWEPCO.
24 Mr. Birdsong is currently being sued.

25 Q He's being sued by whom?

1 A Me.

2 Q For what?

3 A One of the reasons that he was in -- he's working
4 with a Mr. Hannon. Mr. Birdsong refused to take my money to
5 have the lights turned on because he had taken the money from
6 NorthStar Communications who he believed that had purchased
7 the station even though I had had documents who I was, even
8 though Dr. Wren's attorney had faxed him documents. It wasn't
9 until I got an attorney to come from Houston to go with me to
10 the electric company.

11 Mr. Birdsong also wrote the communication stating
12 that there was not anything mechanically wrong with the
13 station. The station was off the air because that -- there
14 was no electricity. That was not true. He had no knowledge
15 of that. And an engineer can testify to that fact, that the
16 station was down mechanically. Mr. Birdsong --

17 Q That the station was what? I'm sorry.

18 A The station was down mechanically. Mr. Birdsong has
19 an interest in the station.

20 Q Right now, we're not talking about the station's
21 operation. We're talking about the tower and the tower
22 lights. Now, as I understand your testimony, you say that
23 there were only two periods of time which those tower -- the
24 tower was not lit, three days in October and maybe one other
25 day that there was -- that the towers were not lit.

1 A Because of the electrical storm.

2 Q Because of an electrical storm?

3 A Right.

4 Q Other than those days, the tower was lit.

5 A As far as my knowledge.

6 Q As far as your knowledge. Now, you're saying there
7 was a time when the electric company refused to receive your
8 check. During that time, did they continue to supply
9 electricity to the station?

10 A As far as my knowledge. Everything was paid up.
11 NorthStar Communication had paid everything.

12 Q Well, you were at the station, weren't you? I mean,
13 you're general manager. Was everything working? Were the
14 lights on when you threw the switch? Were the tower lights
15 on?

16 A I did go out of town to -- yes. I did go out of
17 town to my parents' house which is 65 miles away. When I
18 left, the lights were on. I got a phone call that said
19 NorthStar decided that they did not want to turn the lights on
20 or something, pay the deposit. At that time, the attorney and
21 I went to SWEPCO and got the lights turned back on.

22 Q And that was the three-day period or the one-day
23 period? You said there was only two periods, three days and
24 one day.

25 A I'm not sure when -- the day that I got to Longview,

1 the lights were off.

2 Q Was that the three-day period you're talking about
3 in October --

4 A I can't speak to you about --

5 Q -- or the one-day period when the electrical storm
6 hit or some other period?

7 A The three-day period was when I was here in
8 Washington.

9 Q That's correct.

10 A The one-day period --

11 Q And the one day when -- one day when there was an
12 electrical storm.

13 A -- was when the electrical storm --

14 Q And now you're saying you went to your parents'
15 house and you came back and the electricity was off.

16 A Yes.

17 Q So I presume then that the tower was not lit.

18 A When I left, the tower was lit.

19 Q How long were you gone?

20 A Well, I probably was gone for about a week. I don't
21 know when the lights were off.

22 JUDGE FRYSIK: When was this?

23 WITNESS: Well, I'm at my parents' house all the
24 time. I guess it was about maybe a month or so. But the
25 lights were not off for a month.

1 JUDGE FRYSIK: What period of time are you talking
2 about?

3 WITNESS: We're talking about in January.

4 MR. ZAUNER: Of this year?

5 WITNESS: Yes.

6 MR. ZAUNER: You went to your parents' house for
7 about a month?

8 WITNESS: Yes.

9 JUDGE FRYSIK: This is the third occasion that the
10 lights were off?

11 WITNESS: They did turn the lights off. From my --
12 I would think that when the lights went off -- I knew about
13 the lights when they went off and I had them turned back on.

14 BY MR. ZAUNER:

15 Q Well, how long -- is this -- would you answer the
16 Judge's question? Was this the third time?

17 A Yes, this is the third time.

18 Q So now there are three occasions, three days in
19 October, once when there was an electrical -- lightening or
20 something, and a third time. You went to your parents' house
21 and you came back and found the lights off.

22 A NorthStar had withdrew their --

23 Q Yes? That's correct?

24 A Yes, yes.

25 Q You came back and you found --

1 A Yes.

2 Q And you'd been at your parents' house for the whole
3 month of January, so you don't know how much time during
4 January the lights were off. Is that correct?

5 A My parents live an hour away. Even though if I go
6 there -- I go to Longview every day because I have a house in
7 Longview. So, you know, I check on the station every day. I
8 go there every day or every other day.

9 Q So how long then -- if you go there every day, how
10 long was the electricity off in January while you were at your
11 parents' house?

12 A It went off one day and I had it turned on that same
13 day.

14 Q So what we're saying now there's three days in
15 October, one day for lightening, and one day when you were at
16 your parents' house and came back and found it off and you
17 immediately went and corrected the situation.

18 A That's correct.

19 Q Let me ask you again, is there -- are there any
20 other days, now that you can think of, that the electricity to
21 the station was off?

22 A The electricity to the station has been off prior
23 to, but it's only been off like if they turn it off one day,
24 it's turned on within an hour.

25 Q Other than a short-term, maybe power failure or

1 something, has there been any period of time in which the
2 station's electricity -- in which the station has not received
3 electricity?

4 A Yes.

5 Q Let me reframe my question here. We're talking
6 about power -- in your mind, is there a difference between
7 power to the station and power to the tower or is it all one
8 thing? If you cut off power to the station, do you also cut
9 off the tower or can you cut off power to the station and
10 still supply power to the tower?

11 A Yes.

12 Q Now, we've been talking about power to the tower.
13 It sounds like a radical phrase or something. And your
14 testimony then is, at least at this point, that three days --
15 that power to the tower was cut off for three days in October,
16 once for an electrical storm, and one day when you were at
17 your parents, and my question is, as far as power to the tower
18 goes, were there any other days in which there was not
19 electrical power to keep the lights on the tower lit --

20 A No.

21 Q -- during your stewardship of the station?

22 A No.

23 JUDGE FRYSIK: Why don't we put a date onto the
24 electrical failure due to the storm?

25 MR. ZAUNER: Do you know when that electrical storm

1 | occurred that caused the power failure?

2 | WITNESS: I believe I know. It was the middle of --
3 | the end of October. I'm not sure of the exact date.

4 | MR. ZAUNER: But in any case, the power was put
5 | right back on.

6 | WITNESS: Yes.

7 | JUDGE FRYSIK: Well, the following day, correct?

8 | WITNESS: You're talking about the electrical storm
9 | or --

10 | BY MR. ZAUNER:

11 | Q Well, the power would have -- well, maybe not. The
12 | power was reinstated to the tower within a day. Maybe that's
13 | the best way to state it.

14 | A Yes.

15 | Q Did you indicate that Birdsong has an interest in
16 | the station?

17 | A Yes. I had a gentleman working at the station,
18 | should have been working in a capacity to organize the books
19 | and all of that. He and Mr. Birdsong are very good friends.
20 | I ended up firing that gentleman and Mr. Birdsong and he are
21 | very good friends and they -- and unfortunately, I didn't
22 | bring the contract. They devised a contract for me to sign to
23 | lease them the station and let them run the station which I
24 | didn't have that authority because we were going through this
25 | court situation and I wouldn't have did it anyway.